

Sub: PS – Rev. Dept – Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service – Allegation of committing certain irregularities in diversion of Food for Work Rice– Disc. action – Reg.

Ref: From the Dist. Collector, YSR Dist., Lr.No.A1/2340/04, dt. 11-8-10.

Please see the letter received from the Dist. Collector, YSR Dist. together with its enclosures at pp.1-63 c.f.

In his letter, the Dist. Collector, YSR Dist. has informed that based on the report of the RDO, Rajampet stating that he had enquired into the adverse news published in the news paper Eenadu, dt:21.6.2004 regarding diversion of 111.275 M.Ts., of Food for Work rice to black market, charges were framed against (1) Sri C.Masthanaiah, formerly MRO, B.Kodur (2) Sri P.V.Ramana, formerly Dy.MRO, O/o MRO, B.Kodur and (3) Sri A.Sreenivasulu, formerly Addl.RI, O/o the MRO, B.Kodur, YSR Dist. and the charged officers had submitted their explanations.

Having not convinced with the explanations submitted by the charged officers, the Dist. Collector, YSR Dist. had appointed the RDO, Rajampet as Enquiry Officer to enquire into the charges framed against the COs. As Sri C. Masthanaiah, formerly MRO retired from service on 30-6-07, the Dist. Collector, YSR Dist. while furnishing the enquiry report of the RDO, Rajampet has requested the Govt. to finalise the case in respect of Sri C. Masthanaiah, MRO (Retd). He has also informed that the action in respect of another two AOs is being taken at their level.

The following two charges were framed against Sri C. Masthanaiah, MRO (Retd):-

Charge-I:

“That during the aforesaid period and while functioning in the aforesaid Office, Sri C.Masthanaiah, MRO, B.Kodur, he being a responsible Govt. servant has issued release order to a quantity of 111.275 M.Ts., of FFW rice without verifying the genuineness of requisition issued by the Dy. Executive Engineer, Irrigation Dept., Proddatur Sub Division at Badvel and given scope for misutilization of FFW rice. Thus, as a public servant, he violated Rule 3(1)(2) & (3) of APCS (Conduct) Rules, 1964.”

Charge-II:

“That during the aforesaid period and while functioning in the aforesaid office, Sri C.Masthanaiah, MRO, B.Kodur he being a responsible Govt. servant has failed to discharge his legitimate duties and as result 111.275 M.Ts., of FFW rice relating to “desilting and repairs of LSP Main Canal” work was diverted to black market and given scope for publication of adverse news item under violation of Rule3(1)(2) and (3) of APCS (Conduct) Rules, 1964.”

Submitted that both the charges framed against the charged officer were proved during the enquiry. In respect of charge-I, The E.O. has concluded that the requisition given by the DEE is genuine, now he cannot simply escape saying that the requisition was not erranted from his office and the signature is forged, but the MRO could not escape from the malafide and hasty role he played in this regard and circumstantial evidences definitely leads to a conclusion that the MRO had connived, if not colluded in the issue of diversion of 1112.75 Qtls of FFWP rice. The charge to this effect of extent is held proved.

In respect of charge-II, the E.O. has concluded that the charge is held proved in-as-much-as the C.O. failed to discharge his legitimate duties and as far as the diversion of rice is concerned he is partly responsible in the shape connivance.

The E.O. in his report has also reported that the circumstantial evidence proved that the Engineering Dept. officials had submitted estimates for the work, the Dist. Collector had given administrative sanction to the work on 18.10.2003 vide ref D5/2715/03, dt:18.10.2003, that the Jt.Collector had allotted the rice on 27.10.2003 vide Procgs.No.I(4)/3052/01, that the DEE, ID, Proddatur Sub Division, Badvel had requisitioned the coupons on 27.10.2003 vide Lr.No.199M, dt:27.10.2003 in which Collector's proceedings were granted and the wording of the letter signature and stamped seal of the DEE, certainly sounds totally official and gives no scope for any suspicion who specifically requested the MRO to handover coupons to Sri P.Lakshmi Narayana, AE of LSP section, that the said AE had taken the coupons from the Dy.MRO on 15.11.2003 but the taking advantage of non-appending his sign in register, now disclaiming the receipt of coupons and said coupons which contain the signature and seal of AE were reiterated from the FP shop dealer and hence it is pertinent to note that had the AO not taken the

coupons, how the same can went to dealer with his seal and signatures.

The E.O. has further reported that based on the letter of Executive Engineer, ID, Kadapa in Lr.No.DB/ATO-1/1983-R, dt:15.9.2003 the work was sanctioned by the Dist. Collector, having got the sanction of work, the Irrigation Dept. had got share of public contribution through Sri V.Yogananda Reddy, that the rice was actually positioned to FP shop dealer stating from 18.12.2003 to 26.2.2004 and it is not understood why the Irrigation Dept. had conveniently ignored about the grounding work and though the then RDO had opined that the signatures of the DEE and AE, forged by the contractor Sri V.Yogananda Reddy, on perusal of material evidence clearly points out that the signature and sealed are remarkably and strikingly similar to the signatures of the DEE and AE and hence collusion of Irrigation officials in diverting the FFWP rice cannot be ruled out.

Based on the enquiry report in respect of the role played by Contractors and Agents, The Dist. Collector, YSR Dist. has initiated action against 1) Sri V.Yogananda Reddy, Contractor, 2) Sri Rama Krishna Reddy, I/c FP Shop dealer, Payalakinta Village, B.Kodur Mandal and 3) Sri M.Naga Raju, Unauthorized Agent of Sri Rama Krishna Reddy and filed criminal case in B.Kodur P.S. and the case is under process.

In view of the above position and keeping in view of the fact that both the charges were proved during the enquiry, the file is submitted for passing appropriate orders as deemed fit in the matter.

Apparently the MRO acted upon the requisition placed by DEE. Through DEE later disowned the signatures on the requisition, there is no reason to the MRO to suspect the bonafides of the requisition as the letter contain seal and signature of the DEE. The MRO instead of submitting explanation for charges framed, he is now conveniently trying to throw the blame on his subordinates. In fact MRO is responsible to release coupons and issue RO. The RI or route officer will take responsibility to position the stocks in FP Shops. The executive agency will release the coupons to the laborers and the FP Shop dealer will distribute the rice given the above procedural context. The MRO may not directly responsible for diversion of stock. But the manner in which he acted upon in this case as aforesaid definitely leads to a conclusion that he has acted very hastily and released entire rice in two ROs., on the same day. The MRO him self has issued express memo to ARI to lift the stock and deliver to FP shop point in Payalakunta. Having issued express memo now he is trying to make ARI a scapegoat for delivering rice at FP Shop, Payalakunta. As MRO he is responsible for allowing benami dealer to work. Instead now he is trying to shift the responsibility and throw blame on his subordinates.

Hence the charge is held proved in-as-much-as he failed to discharge his legitimate duties. As far as the diversion of rice is concerned he is partly responsible in the shape connivance.

Explanation: In his explanation, he stated that he has given instructions to the Dy.MRO Sri M.Pakkera on the requisition received from Dy.Executive Engineer, Irrigation Dept., Proddatur sub division at Badvel stating that please put up sanction orders.

Instead of that he himself raised release order for 111.275 M.Ts., of rice and put up for my signatures. He committed grave mistake without verifying the genuineness of the requisition as per Collector's record that the mistake came into light after few months over. In this regard he has not violated the Rule 3(1)(2) and (3) of APCS (Conduct) Rules, 1964. The Dy.MRO, Sri Pakkeeraiah has violated the Rule 3(1)(2) and (3) of APCS (Conduct) Rules, 1964 and he is responsible for above said lapses. In this connection, he submitted that he has not committed such mistake in his service out of total service of 32 years. Hence, he requested to drop the charge-I of the Article.

Findings of the EO: As could be seen from the records the Dist. Collector, Kadapa has sanctioned the desilting work and repairs to LSP Main canal and Rice component of 111.275 M.Ts., was also sanctioned vide Ref.D5/2715/03, dt:18.10.2003. The sanction proceedings received in the MRO on -10-2003 (date not visible in date stamp). The Jt.Collector has issued Rice Allotment Procgs.Ref.No.I(4)/3052/2001, dt:27.10.2003. The allotment orders were received in MROs office on 29.10.2003. Both the orders were initialed by the delinquent officer. Hence, he cannot plead ignorance of the orders communicated to him. The Dy. Executive Engineer, Irrigation Dept., Proddatur Sub Division, Sri S.Dhanujaya Rao has placed indent for coupons and requested the MRO to lift rice vide his Lr.No.199/M, dt:27.10.2003 received by the MRO on 12.12.2003. It is a fact that the MRO observed on the Margin of Divisional Executive Engineer letter that "Please put up sanction orders". But, the Dy.MRO noted on the bottom of the same letter that "RO issued 12.12.03, RO.No.7665, dt:12.12.2003 for 111.275 M.Ts.". Had there been any suspicion to the MRO, he could have stopped the RO instead, he is now throwing the blame on Dy.MRO. In fact, the MRO should have given reply on the charge about verification of genuineness of the requisition of Dy. Executive Engineer, Irrigations Dept.

The issue is fairly and judiciously examined in the light of available records. The letter contains the seal and signature of Sri S.Dhanujaya Rao, DEE, ID, with side initials of a clerk. The signature in the requisition fairly similar to the specimen signature appended by the DEE before the then RDO, Rajampet. But the DEE, has conveniently stated that the signature in the requisition

not relates to him. But the signature is strikingly similar and the DEE trying to escape from the gross irregularity of giving requisition without executing work. To be fair infavour of MRO, it can be stated that it is not the responsibility of MRO to cross check whether the work sanctioned is grounded / executed or not. He will act upon the requisition placed by Executing agency.

But the MRO has earlier issued Release Orders bearing No.7633 and 7334, dt:30.10.2003 i.e., just a day after receipt of allotment order and even before, the receipt of DEE, requisition dt:27.10.2003 (the DEE requisition is received by the MRO on 12.12.2003, as seen from the initials and date appended by the MRO on the requisition of DEE). This shows the malafide intension of the MRO. However these release orders are cancelled as the same were raised on Porumamilla MLS Point instead of Badvel MLS Point to which the Rice stock was transferred again the MRO office has acted very swiftly and issued ROs on 12.12.2006 i.e., on the same day of the receipt of requisition from DEE.

Hence, it is concluded that the requisition given by the DEE, is genuine. Now he cannot simply escape saying that the requisition was not erranted from his office and the signature is forged. But the MRO could not escape from the malafide and hasty role he played in this regard. Circumstantial evidences definitely leads to a conclusion that the MRO had connived, if not colluded in the issue of diversion of 1112.75 Qtls of FFWP rice. The charge to this effect of extent he held proved.

Explanation: He explained that he is a responsible Govt. servant and has not failed to discharge his legitimate duties. He has not diverted the rice 111.275 M.Ts., into black market and not given scope for publication of adverse news under violation of Rule 3(1) (2) and (3) of APCS (Conduct) Rules, 1964.

He further explained that in this regard Sri A.Sreenivasulu, Addl.RI, B.Kodur has misutilized the rice and diverted the entire stock of rice to Sri Naga Raju, Payalakunta Village, who is benami agent to the FP shop of Payalakunta village instead of Sri Rama Krishna Reddy, FP Shop dealer of Pedullapalli village and I/c to the FP Shop of Payalakunta Village. The release order was also raised in favour of Sri Rama Krishna Reddy, FP Shop Dealer of

Pedullapalli village. But the Addl.RI, Sri Srinivasulu has delivered entire rice i.e., 111.275 M.Ts., to Sri Naga Raju, a benami to that FP Shop of Payalakunta village. He has not given any instructions to the Addl.RI, either by written or by oral to deliver the rice to Sri Naga Raju of Payalakunta village. The Addl.RI himself has delivered the rice to Sri Naga Raju without his knowledge vide R.O.No.7665, dt:12.12.2003. Even though he enquired with Addl.RI in the month of 2/2004, the Addl.RI fully responsible for all mistakes. Hence he requested to drop the charge.

Findings of the EO:

Apparently the MRO acted upon the requisition placed by DEE. Through DEE later disowned the signatures on the requisition, there is no reason to the MRO to suspect the bonafides of the requisition as the letter contain seal and signature of the DEE. The MRO instead of submitting explanation for charges framed, he is now conveniently trying to throw the blame on his subordinates. In fact MRO is responsible to release coupons and issue RO. The RI or route officer will take responsibility to position the stocks in FP Shops. The executive agency will release the coupons to the laborers and the FP Shop dealer will distribute the rice given the above procedural context. The MRO may not directly responsible for diversion of stock. But the manner in which he acted upon in this case as aforesaid definitely leads to a conclusion that he has acted very hastily and released entire rice in two ROs., on the same day. The MRO him self has issued express memo to ARI to lift the stock and deliver to FP shop point in Payalakunta. Having issued express memo now he is trying to make ARI a scapegoat for delivering rice at FP Shop, Payalakunta. As MRO he is responsible for allowing benami dealer to work. Instead now he is trying to shift the responsibility and throw blame on his subordinates.

Hence the charge is held proved in-as-much-as he failed to discharge his legitimate duties. As far as the diversion of rice is concerned he is partly responsible in the shape connivance.

GOVERNMENT OF ANDHRA PRADESH
REVENUE (VIG.VI) DEPARTMENT

Memo.No.38373/Vig.VI(2)/10-1. Dt.8-10-2010.

Sub: PS - Rev. Dept - Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service - Allegation of committing certain irregularities in diversion of Food for Work Rice- Disc. action - Reg.

Ref: From the Dist. Collector, YSR Dist., Lr.No.A1/2340/04, dt.11-8-2010.

Whereas the Revenue Divisional Officer, Rajampet, Dr.YSR District has been appointed as Enquiry Officer to conduct enquiry into the charges framed against Sri C. Masthanaiah, formerly Mandal Revenue Officer (DT Cadre), B.Kodur, YSR District and now retired from service.

2. The Enquiry Officer has submitted enquiry report wherein he held that the charges framed against the Accused Officer were proved.

3. A copy of the enquiry report is herewith furnished to Sri C. Masthanaiah, formerly Mandal Revenue Officer (DT Cadre), B.Kodur, YSR District and now retired from service, as required under Rule-21(4) of Andhra Pradesh Civil Services (CCA) Rules, 1991. He is requested to submit representation, if any, thereon within (15) days from the date of receipt of this memo.

4. If no representation is received within the stipulated time, it will be construed that he has no representation to submit and further action will be taken based on the material available.

5. The District Collector, Dr.YSR District is requested to serve a copy this memo to the Officer, obtain his dated acknowledgement on the duplicate copy and forward the same to

the Government along with representation, if any, submitted by the Accused Officer for taking further action in the matter.

ASUTOSH MISHRA
PRINCIPAL SECRETARY TO
GOVERNMENT

To
The individual through the District Collector,
Dr.YSR District.
Copy to:
The District Collector, Dr.YSR District.
The Special Chief Secretary & Chief Commissioner of
Land Administration, Hyderabad.

// FORWARDED BY ORDER //

SECTION
OFFICER

(Issued as Govt.Memo.No.38373/Vig.VI(2)/10-1, dt. 8-10-10)
(From Sri C. Masthanaiah, MRO (Retd), Reprn. dt.30-3-11)

Please see the notes on prepages and the repn. received from Sri C. Masthanaiah, MRO (Retd) together with its enclosures at pp.69-79 c.f.

The issue in this file relates to finalisation of disciplinary proceedings initiated against Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service on the allegation of committing certain irregularities in diversion of Food for Work Rice.

The brief facts of the case are that, consequent on adverse news item published in the news paper Eenadu, dt:21.6.2004 regarding diversion of 111.275 M.Ts., of Food for Work rice to black market and based on the report of the RDO, Rajampet, the Dist. Collector, YSR Dist. had framed article of charges against (1) Sri C.Masthanaiah, formerly MRO, B.Kodur (2) Sri P.V.Ramana, formerly Dy.MRO, O/o MRO, B.Kodur and (3) Sri A.Sreenivasulu, formerly Addl.RI, O/o the MRO, B.Kodur, YSR Dist. and the charged officers had submitted their explanations.

Having not convinced with the explanations submitted by the charged officers, the Dist. Collector, YSR Dist. had appointed the RDO, Rajampet as Enquiry Officer to enquire into the charges framed against the COs. As Sri C. Masthanaiah, formerly MRO retired from service on 30-6-07, the Dist. Collector, YSR Dist. while furnishing the enquiry report of the RDO, Rajampet has requested the Govt. to finalise the case in respect of Sri C. Masthanaiah, MRO (Retd). He has also informed that the action in respect of other two AOs is being taken at their level.

The following two charges were framed against Sri C. Masthanaiah, MRO (Retd):-

Charge-I: “That during the aforesaid period and while functioning in the aforesaid Office, Sri C.Masthanaiah, MRO, B.Kodur, he being a responsible Govt. servant has issued release order to a quantity of 111.275 M.Ts., of FFW rice without verifying the genuineness of requisition issued by the Dy. Executive Engineer, Irrigation Dept., Proddatur Sub Division at Badvel and given scope for misutilization of FFW rice. Thus, as a public servant, he violated Rule 3(1)(2) & (3) of APCS (Conduct) Rules, 1964.”

Charge-II: “That during the aforesaid period and while functioning in the aforesaid office, Sri C.Masthanaiah, MRO, B.Kodur he being a responsible Govt. servant has failed to discharge his legitimate duties and as result 111.275 M.Ts., of

FFW rice relating to “desilting and repairs of LSP Main Canal” work was diverted to black market and given scope for publication of adverse news item under violation of Rule 3(1)(2) and (3) of APCS (Conduct) Rules, 1964.”

Submitted that both the charges framed against the charged officer were proved during the enquiry. In respect of charge-I, the E.O. has concluded that the requisition given by the DEE is genuine, now he cannot simply escape saying that the requisition was not erranted from his office and the signature is forged, but the MRO could not escape from the malafide and hasty role he played in this regard and circumstantial evidences definitely leads to a conclusion that the MRO had connived, if not colluded in the issue of diversion of 1112.75 Qtls of FFWP rice and the charge to this effect of extent is held proved.

In respect of charge-II, the E.O. has concluded that the charge is held proved in-as-much-as the C.O. failed to discharge his legitimate duties and as far as the diversion of rice is concerned he is partly responsible in the shape connivance.

As the charges were proved during the enquiry, while furnishing a copy of the enquiry officer’s report, the A.O. was requested to submit the repn., if any, in the matter, as required under Rule 21(4) of APCS (CCA) Rules, 1991.

In reply, the A.O. has submitted a repn. stating that he had verified the signature and seal of the office of Dy.Executive Engineer, Irrigation Dept., Proddatur Sub-division, Badvel and found that the signature is tallied with compare to other files available. Further, when RDO, Rajampet Sri Venkateswarlu garu had discussed and argued with Dy.Executive Engineer in the presence of Asst.Engineer while attending for meeting to Badvel MRO’s office on the issue, but the Dy.Executive Engineer had not accepted with the escaping nature and thrown blame on the Revenue Department. He has also stated that a letter was addressed to the Collector, Kadapa to send that paper for Forensic lab to find out the signature of the Dy.Executive Engineer whether it belongs to him or not in the preliminary report, but in the meanwhile he was transferred. He has further stated that even the EO had also mentioned in his report that there is no scope to

find out the requisition whether it is bogus or not as the paper contains office seal and DEE signature.

While stating that he had not given any scope for misutilisation of FFW rice and the mistake came into light after few months over and the Dy.Executive Engineer is responsible for such lapses, he has requested the Govt. to drop further action in the matter.

In this connection, it is submitted that the E.O. in his report has also reported that the circumstantial evidence proved that the Engineering Dept. officials had submitted estimates for the work, the Dist. Collector had given administrative sanction to the work on 18.10.2003 vide ref D5/2715/03, dt:18.10.2003, that the Jt.Collector had allotted the rice on 27.10.2003 vide Procgs.No.I(4)/3052/01, that the DEE, ID, Proddatur Sub Division, Badvel had requisitioned the coupons on 27.10.2003 vide Lr.No.199M, dt:27.10.2003 in which Collector's proceedings were granted and the wording of the letter signature and stamped seal of the DEE, certainly sounds totally official and gives no scope for any suspicion who specifically requested the MRO to handover coupons to Sri P.Lakshmi Narayana, AE of LSP section, that the said AE had taken the coupons from the Dy.MRO on 15.11.2003 but the taking advantage of non-appending his sign in register, now disclaiming the receipt of coupons and said coupons which contain the signature and seal of AE were reiterated from the FP shop dealer and hence it is pertinent to note that had the AO not taken the coupons, how the same can went to dealer with his seal and signatures.

The E.O. has further reported that based on the letter of Executive Engineer, ID, Kadapa in Lr.No.DB/ATO-1/1983-R, dt:15.9.2003 the work was sanctioned by the Dist. Collector, having got the sanction of work, the Irrigation Dept. had got share of public contribution through Sri V.Yogananda Reddy, that the rice was actually positioned to FP shop dealer stating from 18.12.2003 to 26.2.2004 and it is not understood why the Irrigation Dept. had conveniently ignored about the grounding work and though the then RDO had opined that the signatures of the DEE and AE, forged by the contractor Sri V.Yogananda Reddy, on perusal of material evidence clearly points out that the

signature and sealed are remarkably and strikingly similar to the signatures of the DEE and AE and hence collusion of Irrigation officials in diverting the FFWP rice cannot be ruled out.

Based on the enquiry report in respect of the role played by Contractors and Agents, the Dist. Collector, YSR Dist. had initiated action against 1) Sri V.Yogananda Reddy, Contractor, 2) Sri Rama Krishna Reddy, I/c FP Shop dealer, Payalakinta Village, B.Kodur Mandal and 3) Sri M.Naga Raju, Unauthorized Agent of Sri Rama Krishna Reddy and filed criminal case in B.Kodur P.S. and the case is under process.

In view of the above position and keeping in view of the fact that both the charges were proved during the enquiry, the file is submitted for passing appropriate orders as deemed fit in the matter.

Regarding please put up sanction order:-

After receipt of requisition I have written on the requisition (left side of the margin) please enquire and put up addressed to the Dy.MRO Sri M.Pakkira on the margin. He evaded the instruction of the MRO and put up for MRO signature. The then EO Sri Y.Ramachandra Reddy has not seen original requisition paper and has seen another paper while taking Photostat copy from the copy of the original "the word of please enquire matter" is cut out by the Xerox machine. In this connection I request you kindly arrange to bring that original requisition from the RDO Office, Rajampet and Collector Office, Kadapa or MRO Office, B.Kodur and verify the matter. The instructions of the MRO issued to Dy.MRO Sri M.Pakkira will come into light. In this respect I have not committed any mistake and mistake was committed by Sri M.Pakkira. The release order raised by the responsibility officer how can I get suspicious to stop release order. Even though Dy.MRO have written R.O.No.7665, dt:12.12.2003 on the bottom of the requisition.

Regarding release order issued:-

In the short period two Dy.MROs were worked in MRO's Office, B.Kodur in my control 1) Dy.MRO is P.Venkata Ramana and another Dy.MRO is Sri M.Pakkira. Concerned Dy.MRO has raised two release orders bearing No.7633 and 7634, dt:30.10.2003, on the sanction letter of Collector's and allotment order of Jt.Collector and put up for my signature. As routine work I have signed for

one RO only for 500 Qts. of rice and another RO not signed by me. After perusal in the file knowing the false (Violation of Rules & Regulations) I have cancelled two released orders by me and saved concerned Dy.MRO or otherwise he will fall into garve. When those release orders were cancelled by the MRO, the Dy.MRO will must have been automatically obtained said coupons from the coupons receiver, as the release order book, coupons and coupons register were in his control (Custody) till its transfer is effected. That is his responsibility and not to the MRO as I have not committed any mistake in this regard. The Dy.MRO is responsible for such lapses. The Dy.MRO is responsible for changing of MLS point from Porumamilla to Badvel and not mine as the RO was raised by the Dy.MRO and not by the MRO. The EO thrown blame on MRO. In this respect please verify the handwriting in RO.

Annexure-II, Article-II:

Regarding failed to discharged his legitimate duties, I am Govt. servant and responsible officer, I cannot act very hastily and not released stock in two ROs on the same day. After knowing the false in putting the ROs (that is under violation of rules) I have cancelled two ROs to run smooth administration further I submit that I have not issued express memo to Addl.RI regarding lifting of rice to Sri M.Nagaraju, binami agent, he is telling lie and false and I am not tried to make ARI a scape goat for delivering the rice at the FP Shop Payalakunta and I am not responsible for allowing binami dealer to work. In this respect Addl.RI is not a child, is a pucca Govt. servant, getting salary approximately Rs.15,000/- per month to throw blame on him in this regard as I have not failed to discharge my legitimate duties and I am not concerned for diversion of rice into black market.

**Sri P.Venkata Ramana, former Dy.MRO, B.Kodur:-
Annexure-I & II, Article-I & II:-**

Regarding preparation of two ROs:-

Sri P.V.Venkatramana has discussed with MRO after receipt of requisition regarding preparation of two ROs only not for coupons pertaining to desilting and repairs to LSP main channel. He has given Rice coupons to Sri Y.Yogananda Reddy, Madhavarayunipalli, B.Kodur Mandal as per record. His name was also mentioned in the Coupons Register but signature has not

been obtained in the Register to whom the coupons were issued. This is a grave mistake committed by him. If he has given said rice coupon to Asst. Engineer, Proddatur Sub-division, Badvel, the question of fraud or misutilisation of Rice in the public does not arise. Coupons are main important and key also, for FFW works even though Release Order was signed by the MRO there is no problem. The Asst. Engineer Sri P.Lakshmi Narayan will look into the matter about distribution of coupons to the labours. The plan of cheating and misusing of rice will come outside in the public about the planners and good name will come to Revenue Department. P.V.Ramana said the due to pressure of work he could not checkup the whether the Asst.Engineer who received coupons for the entire quantity, is wrong. In the meanwhile he was transferred to Porumamilla.

Regarding adverse news published:-

After adverse news published in Eenadu special dt:22.8.2004 about misusing of rice the Dy.MRO informed to MRO that the coupons for rice 1112.75 Qtls. Were received in this office and they are intact but the said forgery signed coupons by whom were received was not informed by Sri M.Pakkira to the MRO till the paper news came into light. This was also fault at the level of Dy.MRO. He has acted only on his own ideas without the knowledge of MRO. The coupons were issued to unauthorized person by P.V.Ramana for his personal gain in FFW rice. The rice of delivery have taken days from 18.12.2003 to 26.2.2004, as per enquiry report. Further it is revealed in the enquiry stating that the signature is forgery and seal of the AE is duplicate. The AE P.Lakshmi Narayana was also not accepted that it is his own seal and his signature. As such P.V.Ramana has committed grave mistake in this respect.

Sri P.V.Ramana has not discharged his legitimate duties properly and he had done as he like without the knowledge of the MRO and the directions of the MRO. The entire records i.e., coupons, coupons register and Release order book were with him (i.e. his custody / control) at that time. As such he was responsible for such lapse, then those records were sent to RDO Office, Rajampet and same records were again sent to Collector's Office, Kadapa and they were received by Sri M.Pakkira from the Collector's Office, Kadapa from this seat of Sri Chandrayudu,

Sr.Asst., Collector's, Kadapa in the year 2005 (just prior to my relieving as on 16.6.2005) under proper acknowledgement. In meanwhile MRO was transferred and went on leave. He was relieved on the A.N. of 16.6.2005. The EO has not seen original coupons register and he has seen another register. Due to that effect he has taken such decision in enquiry, as I think in this connection I request you kindly arrange to bring all the Original Registers, connected records and file from the concerned office at where they are available for verification. As per enquiry the connected records and registers were hidden or misplaced by the opposite persons / officers to the MRO as I think. And thrown allegations on MRO to set right their mistakes.

Annexure-I&II, Article-I&II:- A.Sreenivasulu, Addl.RI, MROs Office, B.Kodur

Regarding express Memo:-

I have not issued any express Memo. to the Addl. RI for direction of rice into black market. He is saying lie and false, he has given false statement in the enquiry to escape from this issue. Sri Y.Yogananda Reddy, Addl.RI and Nagaraju are role of bunch, they have colluded to each other and prepared the plan and sold the entire rice i.e., 1112.75 Qtls. into black market for the personal gain. S.Rama Krishna Reddy of Peddulahalli the silent person, the knows everything about cheating of rice but he could not inform matter to the MRO. In this issue he also one of the partner. He is also responsible for lapse of Rice. M.Nagaraju has not authorization from the FP shop dealer of Peddulahalli is invalid as per enquiry report. It is pointed out in the enquiry report as such there is no chance to get authorization from Sri S.Rama Krishna Reddy to M.Nagaraju to distribute the rice in the labours of LSP canal. The MRO and Dy.MRO have not visited the MLS point at Pailakuntla during said period. The ARI said false information to escape from this issue. The delivery of rice to Sri M.Nagaraju at Pailakuntla has not intimated by the Addl.RI to the MRO and Dy.MRO till the paper news came into public. In this respect ARI has given false statement before EO to escape from this issue of delivering of rice to Nagaraju. In this respect, as per enquiry report, Sri S.Rama Krishna Reddy who has given permission to Sri M.Nagaraju to deliver the stock to Sri M.Nagaraju and he must obtain prior permission from the MRO in written,

otherwise release order will be handed over to MRO immediately. As such he was committed grave mistake Sri S.Rama Krishna Reddy is a one of the FP shop dealer and he is no way to give authorization to M.Nagaraju. Sri M.Nagaraju is a 3rd person and it is irregular as per Govt. Rules and regulations. ARI has not given delivery at Pailakuntla to Sri S.Rama Krishna Reddy. As such he has committed a grave mistake. Sri Y.Yogananda Reddy has sold away the rice into the black market with the permission of ARI. In my enquiry, the Addl.RI said that no fraud was occurred while delivering the rice to S.Rama Krishna Reddy, Peddulpalli. In this connection a letter was given to me, by the Addl.RI. A copy of letter is enclosed herewith for kind perusal.

The said Rama Krishna Reddy has kept one person at Pailakuntla village of distribution essential commodities to the card holders since 1996 is different issue, the rules are changing from the time to time in the Govt. Now it is happened in the year 2003 i.e., 7 years gaps. I have issued RO in the name of S.Rama Krishna Reddy, Pedullapalli, he will look after the delivery of rice at where he will take delivery. If the ARI think if it is long distance from Pedullapalli to Payalakuntla he must obtained prior permission form the MRO in written and another RO will be handed over to the MRO immediately. He has not done like this. He was done as he like. I have not given any express memo to Addl.RI bearing Ref.No.A/150/02, dt:13.12.2003 is forgery and bogus. When the MRO got doubt about issuing two ROs in a day, automatically they were cancelled by the MRO (only one RO was signed for 500 Qtls. of rice and another Ro was not signed). If I got bad intention on those ROs to get personal gain the said two ROs will be issued and continued. Frequently the fault of ROs issuing does not arise. That too the two ROs are written by concerned Dy.MRO as such he was committed mistake. Changing of MLS Points from Porumamilla to Badvel was mentioned in the RO by the concerned Dy.MRO and not by the MRO. In this respect the EO has given margin to Dy.MRO who was committed a grave mistake. It is irregular as per Govt. rules.

Sri Y.Ramachandra Reddy, the then RDO, Rajampet:-

Regarding the EO:-

He has taken long time to pelmell the issue for enquiry and sent enquiry report to the Dist. Collector on 19.6.2008 vide

Ref.No.C384/04, dt:19.6.2008 from the date of joining as RDO, Rajampeta. He has taken time nearly 3 ½ year. He can complete enquiry while Govt. servant is on duty I heard that the Govt. have fixed certain time for conducting such enquiries. If it is beyond of that period occurred for, EO will be responsible and no punishments will be awarded to the public servants and to that pensioners also if rule permits charge may be dropped. The EO is given much margin to the Dy.MROs and ARI in the enquiry favourably. The entire case was thrown on me by the EO for putting signature only on the release order. The matter was elaborated by the EO wantonly. In general I heard that there is Court order available for not given punishments to the public servants after retirement. I request that if authority pleases order may be implemented in this connection I request and I appeal the Govt. and Revenue higher authorities that re-enquiry may be conducted for the purpose of proper enquiry in the interest of justice. Otherwise charges may be dropped. Re-enquiry is required by the MRO for the purpose of proper enquiry in this respect. If any things happened to my life due to this tension pertaining to this issue, the EO Sri Y.Ramachandra Reddy, the then RDO, Rajampet will be responsible what he want to do the same enquiry, he must do it while I was on duty further I submit that I am a SC employee having four children, getting of livelihood is hard in this hard days with meager pension amount. Further I heard that there is exemption for SC employees in such issues. I request that if the rule permits for exemption may be given to MRO and charges may be dropped on MRO.

The E.O. in his report has also reported that the circumstantial evidence proved that the Engineering Dept. officials had submitted estimates for the work, the Dist. Collector had given administrative sanction to the work on 18.10.2003 vide ref D5/2715/03, dt:18.10.2003, that the Jt.Collector had allotted the rice on 27.10.2003 vide Procgs.No.I(4)/3052/01, that the DEE, ID, Proddatur Sub Division, Badvel had requisitioned the coupons on 27.10.2003 vide Lr.No.199M, dt:27.10.2003 in which Collector's proceedings were granted and the wording of the letter signature and stamped seal of the DEE, certainly sounds totally official and gives no scope for any suspicion who specifically requested the MRO to handover coupons to Sri P.Lakshmi Narayana, AE of LSP

section, that the said AE had taken the coupons from the Dy.MRO on 15.11.2003 but the taking advantage of non-appending his sign in register, now disclaiming the receipt of coupons and said coupons which contain the signature and seal of AE were reiterated from the FP shop dealer and hence it is pertinent to note that had the AO not taken the coupons, how the same can went to dealer with his seal and signatures.

The E.O. has further reported that based on the letter of Executive Engineer, ID, Kadapa in Lr.No.DB/ATO-1/1983-R, dt:15.9.2003 the work was sanctioned by the Dist. Collector, having got the sanction of work, the Irrigation Dept. had got share of public contribution through Sri V.Yogananda Reddy, that the rice was actually positioned to FP shop dealer stating from 18.12.2003 to 26.2.2004 and it is not understood why the Irrigation Dept. had conveniently ignored about the grounding work and though the then RDO had opined that the signatures of the DEE and AE, forged by the contractor Sri V.Yogananda Reddy, on perusal of material evidence clearly points out that the signature and sealed are remarkably and strikingly similar to the signatures of the DEE and AE and hence collusion of Irrigation officials in diverting the FFWP rice cannot be ruled out.

Based on the enquiry report in respect of the role played by Contractors and Agents, the Dist. Collector, YSR Dist. had initiated action against 1) Sri V.Yogananda Reddy, Contractor, 2) Sri Rama Krishna Reddy, I/c FP Shop dealer, Payalakinta Village, B.Kodur Mandal and 3) Sri M.Naga Raju, Unauthorized Agent of Sri Rama Krishna Reddy and filed criminal case in B.Kodur P.S. and the case is under process.

In view of the above position and keeping in view of the fact that both the charges were proved during the enquiry, the file is submitted for passing appropriate orders as deemed fit in the matter.

NOTE FOR CIRCULATION

The issue in this file relates to finalisation of disciplinary proceedings initiated against Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service on the allegation of committing certain irregularities in diversion of Food for Work Rice.

The brief facts of the case are that, consequent on adverse news item published in the news paper Eenadu, dt:21.6.2004 regarding diversion of 111.275 M.Ts., of Food for Work rice to black market and based on the report of the RDO, Rajampet, the Dist. Collector, YSR Dist. had framed article of charges against (1) Sri C.Masthanaiah, formerly MRO, B.Kodur (2) Sri P.V.Ramana, formerly Dy.MRO, O/o MRO, B.Kodur and (3) Sri A.Sreenivasulu, formerly Addl.RI, O/o the MRO, B.Kodur, YSR Dist. and the charged officers had submitted their explanations.

Having not convinced with the explanations submitted by the charged officers, the Dist. Collector, YSR Dist. had appointed the RDO, Rajampet as Enquiry Officer to enquire into the charges framed against the COs. As Sri C. Masthanaiah, formerly MRO retired from service on 30-6-07, the Dist. Collector, YSR Dist. while furnishing the enquiry report of the RDO, Rajampet has requested the Govt. to finalise the case in respect of Sri C. Masthanaiah, MRO (Retd). He has also informed that the action in respect of other two AOs is being taken at their level.

The following two charges were framed against Sri C. Masthanaiah, MRO (Retd):-

Charge-I: "That during the aforesaid period and while functioning in the aforesaid Office, Sri C.Masthanaiah, MRO, B.Kodur, he being a responsible Govt. servant has issued release order to a quantity of 111.275 M.Ts., of FFW rice without verifying the genuineness of requisition issued by the Dy. Executive Engineer, Irrigation Dept., Proddatur Sub Division at Badvel and given scope for misutilization of FFW rice. Thus, as a public servant, he violated Rule 3(1)(2) & (3) of APCS (Conduct) Rules, 1964."

Charge-II: "That during the aforesaid period and while functioning in the aforesaid office, Sri C.Masthanaiah, MRO, B.Kodur he being a responsible Govt. servant has failed to discharge his legitimate duties and as result 111.275 M.Ts., of FFW rice relating to "desilting and repairs of LSP Main Canal" work was diverted to black market

and given scope for publication of adverse news item under violation of Rule3(1)(2) and (3) of APCS (Conduct) Rules, 1964.”

Submitted that both the charges framed against the charged officer were proved during the enquiry. In respect of charge-I, the E.O. has concluded that the requisition given by the DEE is genuine, now he cannot simply escape saying that the requisition was not erranted from his office and the signature is forged, but the MRO could not escape from the malafide and hasty role he played in this regard and circumstantial evidences definitely leads to a conclusion that the MRO had connived, if not colluded in the issue of diversion of 1112.75 Qtls of FFWP rice and the charge to this effect of extent is held proved.

In respect of charge-II, the E.O. has concluded that the charge is held proved in-as-much-as the C.O. failed to discharge his legitimate duties and as far as the diversion of rice is concerned he is partly responsible in the shape connivance.

As the charges were proved during the enquiry, while furnishing a copy of the enquiry officer’s report, the A.O. was requested to submit the repn., if any, in the matter, as required under Rule 21(4) of APCS (CCA) Rules, 1991.

In reply, the A.O. has submitted a repn. stating that he had verified the signature and seal of the office of Dy.Executive Engineer, Irrigation Dept., Proddatur Sub-division, Badvel and found that the signature is tallied with compare to other files available. Further, when RDO, Rajampet Sri Venkateswarlu garu had discussed and argued with Dy.Executive Engineer in the presence of Asst.Engineer while attending for meeting to Badvel MRO’s office on the issue, but the Dy.Executive Engineer had not accepted with the escaping nature and thrown blame on the Revenue Department. He has also stated that a letter was addressed to the Collector, Kadapa to send that paper for Forensic lab to find out the signature of the Dy.Executive Engineer whether it belongs to him or not in the preliminary report, but in the meanwhile he was transferred. He has further stated that even the EO had also mentioned in his report that there is no scope to find out the requisition whether it is bogus or not as the paper contains office seal and DEE signature.

While stating that he had not given any scope for misutilisation of FFW rice and the mistake came into light after few months over and the Dy.Executive Engineer is responsible for such lapses, he has requested the Govt. to drop further action in the matter.

In this connection, it is submitted that the E.O. in his report has also reported that the circumstantial evidence proved that the Engineering Dept. officials had submitted estimates for the work, the Dist. Collector had given administrative sanction to the work on 18.10.2003 vide ref D5/2715/03, dt:18.10.2003, that the Jt.Collector had allotted the rice on 27.10.2003 vide Procgs.No.I(4)/3052/01, that the DEE, ID, Proddatur Sub Division, Badvel had requisitioned the coupons on 27.10.2003 vide Lr.No.199M, dt:27.10.2003 in which Collector's proceedings were granted and the wording of the letter signature and stamped seal of the DEE, certainly sounds totally official and gives no scope for any suspicion who specifically requested the MRO to handover coupons to Sri P.Lakshmi Narayana, AE of LSP section, that the said AE had taken the coupons from the Dy.MRO on 15.11.2003 but the taking advantage of non-appending his sign in register, now disclaiming the receipt of coupons and said coupons which contain the signature and seal of AE were reiterated from the FP shop dealer and hence it is pertinent to note that had the AO not taken the coupons, how the same can went to dealer with his seal and signatures.

The E.O. has further reported that based on the letter of Executive Engineer, ID, Kadapa in Lr.No.DB/ATO-1/1983-R, dt:15.9.2003 the work was sanctioned by the Dist. Collector, having got the sanction of work, the Irrigation Dept. had got share of public contribution through Sri V.Yogananda Reddy, that the rice was actually positioned to FP shop dealer stating from 18.12.2003 to 26.2.2004 and it is not understood why the Irrigation Dept. had conveniently ignored about the grounding work and though the then RDO had opined that the signatures of the DEE and AE, forged by the contractor Sri V.Yogananda Reddy, on perusal of material evidence clearly points out that the signature and sealed are remarkably and strikingly similar to the signatures of the DEE and AE and hence collusion of Irrigation officials in diverting the FFWP rice cannot be ruled out.

Based on the enquiry report in respect of the role played by Contractors and Agents, the Dist. Collector, YSR Dist. had initiated action against 1) Sri V.Yogananda Reddy, Contractor, 2) Sri Rama Krishna Reddy, I/c FP Shop dealer, Payalakinta Village, B.Kodur Mandal and 3) Sri M.Naga Raju, Unauthorized Agent of Sri Rama Krishna Reddy and filed criminal case in B.Kodur P.S. and the case is under process.

After examination of the issue in the light of the enquiry report, while observing as at paras 28-30 on pp.8-9 ante, a provisional decision has been taken to drop further action against the individual and to exonerate him from the charges.

The APVC who were consulted in the matter have also agreed with the above provisional decision of the dept. and advised this dept. to take action accordingly.

In view of the above position and keeping in view of the advice of the APVC, it is for orders whether further action against Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service may be dropped and he may be exonerated from the charges.

After orders are passed, the file may be circulated to Min (Rev) for approval.

ABSTRACT

PS – Rev. Dept – Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service – Allegation of committing certain irregularities in diversion of Food for Work Rice – Disc. action – Further action dropped – Orders – Issued.

REVENUE (VIGILANCE-VI) DEPARTMENT

G.O.Rt.No.

Dt. -11-2011

Read the following:-

1. From the Dist. Collector, YSR Dist., Lr.No.A1/2340/04, dt. 11-8-10.
2. Govt.Memo.No.38373/Vig.VI(2)/10-1,dt.8-10-10.
3. From Sri C. Mastanaiah, MRO (Retd), Repn.dt.30-3-11.

ORDER:

Consequent on adverse news item published in the news paper Eenadu, dt:21.6.2004 regarding diversion of 111.275 M.Ts. of Food for Work rice to black market and based on the report of the RDO, Rajampet, the Dist. Collector, YSR Dist. had framed article of charges against (1) Sri C.Masthanaiah, formerly MRO, B.Kodur (2) Sri P.V.Ramana, formerly Dy.MRO, O/o MRO, B.Kodur and (3) Sri A.Sreenivasulu, formerly Addl.RI, O/o the MRO, B.Kodur, YSR Dist. and the charged officers had submitted their explanations. Having not convinced with the explanations submitted by the charged officers, the Dist. Collector, YSR Dist. had appointed the RDO, Rajampet as Enquiry Officer to enquire into the charges framed against the COs. As Sri C. Masthanaiah, formerly MRO retired from service on 30-6-07, the Dist. Collector, YSR Dist. had sent proposals to Govt. along with enquiry report for taking further disciplinary action under Rule-9 of APRP Rules, 1980 vide reference 1st read above.

After examination of the issue, Govt. have observed that the both the charges framed against the A.O. i.e. (i) issuing release order to a quantity of 111.275 M.Ts. of FFW rice without verifying the genuineness of requisition issued by the Dy. Executive Engineer, Irrigation Dept., Proddatur Sub Division at Badvel and giving scope for misutilization of FFW rice and (ii) failure to discharge his legitimate duties and as a result of which 111.275 M.Ts., of FFW rice relating to “desilting and repairs of LSP Main Canal” work was diverted to black market and giving scope

for publication of adverse news item were held proved during the enquiry.

In the reference 2nd read above, while furnishing a copy of the enquiry officer's report, the A.O. was requested to submit the repn., if any, in the matter, as required under Rule 21(4) of APCS (CCA) Rules, 1991.

Sri C. Masthanaiah, MRO (DT Cadre) (Retd) has submitted his repn. vide reference 3rd read above stating that he had verified the signature and seal of the office of Dy.Executive Engineer, Irrigation Dept., Proddatur Sub-division, Badvel and found that the signature is tallied with compare to other files available. Further, when RDO, Rajampet Sri Venkateswarlu had discussed and argued with Dy.Executive Engineer in the presence of Asst.Engineer while attending for meeting to Badvel MRO's office on the issue, but the Dy.Executive Engineer had not accepted with the escaping nature and thrown blame on the Revenue Department. He has also stated that a letter was addressed to the Collector, Kadapa to send that paper for Forensic lab to find out the signature of the Dy.Executive Engineer whether it belongs to him or not in the preliminary report, but in the meanwhile he was transferred. He has further stated that even the EO had also mentioned in his report that there is no scope to find out the requisition whether it is bogus or not as the paper contains office seal and DEE signature. While stating that he had not given any scope for misutilisation of FFW rice and the mistake came into light after few months over and the Dy.Executive Engineer is responsible for such lapses, he has requested the Govt. to drop further action in the matter.

After examination of the entire issue in the light of the representation of the A.O, Govt. hereby observe that the enquiry report is ambiguous as on the one hand the enquiry officer has reached the conclusion that the A.O. cannot be held responsible for action upon a forged requisition received from the D.E.E., Irrigation Dept. since there was no ground for suspecting that the document was fake one as he has stated that the seal and signature on the requisition for rice were remarkably close to the genuine seal/signature of the D.E.E. and on the other hand he has concluded that the A.O. was responsible for acting in haste in

issuing the release order for the rice and ordering the MRO to lift the same to the F.P. shop immediately. Govt. also observe that the later conclusion seem to be based only on conjecture and is without substance as no official can be found fault with merely because he took prompt official action, especially when there was, admittedly, no ground for suspecting the bonafide of the requisition and hence decide to drop further action in the matter.

Govt. after careful examination of the matter, hereby drop further action against Sri C. Masthanaiah, formerly MRO (DT Cadre), B.Kodur, YSR Dist. and now retd. from service and exonerate him from the charges.

The Spl.CS & CCLA, Hyd./Collector, YSR Dist. shall take necessary further action in the matter.

& CCLA, Hyd.
ollector, YSR Dist.

ual through Dist. Collector, YSR Dist.
, Hyd.
SR Dist.
o VC, APVC, Hyd.